

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ANDREW APPLE; PASCAL ARMSTRONG;
MAURICE GRIFFIN; KATHLEEN NOREIGA;
KIMRON PRIME; JONATHAN SILVA; and
CLARENCE STEWART,

Plaintiffs,

-against-

ATLANTIC YARDS DEVELOPMENT
COMPANY, LLC; BROOKLYN ARENA LLC;
BROOKLYN UNITED FOR INNOVATIVE
LOCAL DEVELOPMENT; JAMES
CALDWELL; FOREST CITY RATNER
COMPANIES, LLC; FOREST CITY
ENTERPRISES, INC; GAUSIA JONES; JANE
MARSHALL; ORBIN'S BIG GREEN
MACHINE; and BRUCE RATNER,

Defendants.
----- X

CV 11-5550 (JBW)(JA)

**REPORT OF
CONFERENCE
PURSUANT TO RULE
26(f)**

1. Conference: Pursuant to Fed. R. Civ. P. 26(f), the parties that have appeared held a conference on **Tuesday, January 10, 2012** by conference call between Matthew Brinckerhoff, Molly Thomas-Jensen, Nicole Salk, Sarah Dranoff, and Gary Stone for the Plaintiffs, and Harold Weinberger and Eileen Patt for defendants Atlantic Yards Development Company, LLC, Brooklyn Arena, LLC, Brooklyn United for Innovative Local Development, James Caldwell, Forest City Ratner Companies, LLC, Forest City Enterprises, Inc., Jane Marshall, and Bruce Ratner.

2. Initial Disclosures: The parties will exchange initial disclosures on **Tuesday, January 24, 2012**.

3. Discovery Plan: The parties have agreed upon the following plan for discovery:

- A. Discovery may be taken on topics including, but not limited to: the Community Benefits Agreement dated as of June 27, 2005; the Pre-Apprenticeship Training Program (the "PATP"); defendants' involvement with and knowledge of the PATP; work performed at a Staten Island worksite by PATP participants; defendants' relationship with plaintiffs; the defendants' relationships with one another; and plaintiffs' employment history.
- B. Schedule:
- i. The parties shall serve an initial set of written discovery requests by **Monday, January 30, 2012**, after which point the parties will meet to discuss any issues about disclosure or discovery of electronically stored information, including the form or forms in which it should be produced. This meeting will occur no later than **Monday, February 6, 2012**.
 - ii. All fact depositions shall be completed by **Friday, July 27, 2012**.
 - iii. Expert Reports, if any, will be supplied to opposing parties by **Friday, August 3, 2012**. Rebuttal Expert Reports, if any, will be supplied to opposing parties by **Friday, August 24, 2012**. Depositions of Experts, if any, shall be completed by **Friday, September 14, 2012**.
 - iv. Discovery shall be completed by **Friday, September 14, 2012**.
- C. The parties do not presently anticipate requesting that any changes be made to the limitations on discovery imposed by the Federal Rules of Civil Procedure or by local rule.
- D. The parties do not presently anticipate any issues about claims of privilege.

DATED: New York, New York
January 17, 2012

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